

REMARKS


The applicants are refiling their parent case in order to present further amendments to claim 1 which are thought to highlight the novelty and patentability of the applicants' invention.

It is respectfully requested that the Examiner reconsider the Section 102(b)/103(a) rejections of the claims based on WO 95/13531 or Jina et al (U.S. 5,526,120). Neither reference discloses the applicants' test kit including the lock and key interaction called for in the applicants' main claim, particularly as specified in the last several lines of the claim, i.e. wherein the assay device casing comprises a recessed contact portion to accommodate the fixed projecting portion of the switch actuating means but not the displaceable projecting portion thereof, the contact portion also comprising an interface portion that contacts and displaces the displaceable portion of the switch actuating means when the fixed projecting portion is accommodated within the recessed contact portion, the contact and displacement resulting in the lock and key interaction to initiate reading the assay device. The references do not disclose these features of the applicants' invention in the claimed context and do not make the same obvious.

Reconsideration with allowance of the claims is requested.

Respectfully submitted,

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